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**Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/071,189	05/01/98	MADDALOZZO	J AT9-98-024

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EXAMINER

FRENEL, V  
ART UNIT PAPER NUMBER

2778

DATE MAILED:

03/29/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

09/071,189

Applicant(s)

Maddalozzo Jr. John

Examiner

Vanel Frenel

Group Art Unit

2778

☒ Responsive to communication(s) filed on May 1, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-22 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-22 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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## **DETAILED ACTION**

### ***Claim Objections***

1. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 1-21 have been renumbered as 1-22. Also, Examiner chooses the dependency of claim 13 to be claim 11. Appropriate correction is needed.

2. Claims 1- 22 are presented for examination.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ouelette et al (5,581,243) in view of Stephan et al (5,748,185).

As to claims 1, 8 and 15, Ouelette et al disclose a method in a portable computer having a display screen for increasing portable computer compactness, the method comprising displaying data within the display screen (col.10; lines 34-55); and partitioning the display screen into a

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touch-sensitive input area and a display, wherein data input at touch-sensitive input area may be simultaneously displayed in the display area, in response to a particular user input (Fig.1 and col.4; lines 46-67 and col. 35-67); detecting if a user's hands are positioned at the touch-sensitive input area (col.4; lines 61-67 and col.5; lines 1-41). However, Ouelette et al do not disclose graphically displaying a touch-sensitive pad at the touch-sensitive input area within the display screen, in response to detecting a user's hands positioned at the touch-sensitive area, wherein a user may enter data that may be simultaneously displayed in the display area.

Stephan et al. disclose graphically displaying a touch-sensitive pad at the touch-sensitive input area within the display screen, in response to detecting a user's hands positioned at the touch-sensitive area, wherein a user may enter data that may be simultaneously displayed in the display area (col.5; lines 10-62 and col.11; lines 28-67 and col.12; lines 1-67).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the method of Ouelette et al as taught by Stephan et al to improve a user's ability to interact with a graphical user interface (GUI) on a computer.

As to claims 2 and 9, Ouelette et al. discloses the method further comprising detecting if the user's hands are no longer positioned at the touch-sensitive input area; and concealed the touch-sensitive pad from view, in response to detecting if the user's hands are no longer positioned at the touch-sensitive input area (col.4; lines 61-67 and col.5; lines 1-41).

As to claims 3 and 10, Stephan et al. disclose the method wherein graphically displaying a touch-sensitive pad at the touch-sensitive input area within the display screen, in response to

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detecting a user's hands positioned at the touch-sensitive area, wherein a user may enter data that may be simultaneously displayed in the display area (Fig.12), further comprises graphically displaying a touch-sensitive keyboard at the touch-sensitive input area within the display screen, in response to detecting a user's hands positioned at the touch-sensitive area, wherein a user may enter data that may be simultaneously displayed in the display area (col.4; lines 61-67 and col.5; lines 1-41).

As to claims 4-6 and 11-14 Stephan et al disclose the method wherein graphically displaying a touch-sensitive keyboard at the touch-sensitive input area within the display screen, response to detecting a user's hands positioned at the touch-sensitive area, wherein a user may enter data that may be simultaneously displayed in the display area (Fig.12), further comprises graphically displaying a transparent touch-sensitive keyboard at the touch-sensitive input area within the display screen, in response to detecting a user's hands positioned at the touch-sensitive area, wherein a user may enter data that may be simultaneously displayed in the display area (col.4; lines 61-67 and col.5; lines 1-41).

As to claim 7, Ouelette et al disclose the method further comprising analyzing physical characteristics associated with the user while the user is entering a particular sequence of data utilizing the touch-sensitive keyboard; and in response to analyzing the physical characteristics, configuring the touch-sensitive keyboard such that the sensitive of the touch-sensitive keyboard may be raised or lowered according to the physical characteristics associated with the user (Fig.1 and col.4; lines 46-67).

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In addition, the claims 16-21 have substantially the same limitations of claim 8 above .  
Therefore, they are analyzed as previously discussed in claim 1 above.

***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vanel Frenel whose telephone number is (703) 305-4952 .The examiner can be reached on Monday through Thursday from 6:30 to 5:00 pm .

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shalwala Bippin, can be reached on (703)-305-4938.

Any inquiry of general nature or relating to the status of this application or proceeding should be directed to Group receptionist whose telephone number (703) 305-3900.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 308-9051, (for formal communications intended for entry)

**Or:**

(703) 308-6606 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

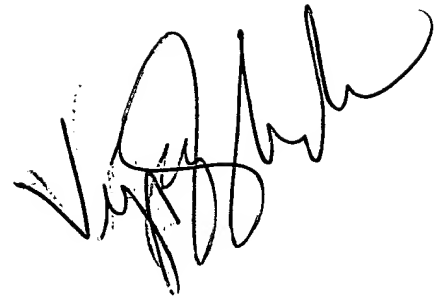
*Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).*

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Vanel Frenel

*Vanel Frenel*

March 20, 2000

A handwritten signature in black ink, appearing to read 'Vijay Shankar', written in a cursive style.

**VIJAY SHANKAR  
PRIMARY EXAMINER**